



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,290	05/19/2000	Naozumi Takenaka	13700	1281

23370 7590 12/02/2004

JOHN S. PRATT, ESQ
KILPATRICK STOCKTON, LLP
1100 PEACHTREE STREET
ATLANTA, GA 30309

EXAMINER

TODD, GREGORY G

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,290

Applicant(s)

TAKENAKA ET AL.

Examiner

Gregory G Todd

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This is a third office action in response to applicant's amendment filed, 02 August 2004, of application filed, with the above serial number, on 19 May 2000 in which claims 1-7 have been cancelled and claims 9-12 have been added. Claims 9-12 are therefore pending in the application.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the address information must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement

Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geiger et al (hereinafter "Geiger", 6,463,534) in view of De Boor et al (hereinafter "De Boor", WO 99/59283).

As per Claim 9, Geiger teaches a service providing system comprising:

a network having

an information providing server which provides information (at least col. 10, lines 55-64; col. 13, lines 13-42; eg. third party or merchant server), and

an authentication server capable of sending and receiving information to and from the information providing server (at least col. 10, lines 38-64; col. 12, lines 19-31; validation server for server authentication); and

a portable terminal capable of sending and receiving information to and from the network (at least col. 8, lines 28-45; wireless client device connecting to network);

wherein the information providing server is configured to send to the authentication server information requested by the portable terminal, address information associated with the information providing server, and tag information associated with the information providing server (at least col. 10, lines 38-64; col. 12, lines 19-31; cross certificates for server authentication, in addition to keys);

wherein the authentication server has an authentication information database which stores authentication information to determine whether or not the information providing server is an authorized server, the authentication information being displayable on the portable terminal (at least col. 13, lines 10-23; validation server);

wherein the authentication server has a detector which detects whether or not the address information and the tag information sent by the information providing server match the authentication information stored in the authentication information database (at least col. 10, lines 38-54; cross certificates for server authentication, in addition to keys);

wherein the authentication server has a transmitter which sends to the portable terminal the requested information sent by the information providing server and the authentication information retrieved from the authentication database when the address information and the tag information match the stored authentication information (at least col. 13, lines 13-67; delivering content to client); and

wherein the portable terminal has a first display area which displays the requested information sent by the information providing server (at least col. 13 line 66 - col. 14 line 8).

Geiger fails to explicitly teach a second display area which displays the authentication information. However, the use and advantages for using such a display is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of De Boor. De Boor teaches a second display area (at least Fig. 2, 5, paragraph. 9 lines 3-27) containing, as is well known in the art, a status bar and status message area in addition to another part of the display containing the content.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of De Boor's two 'displays' into Geiger's system as this would enhance Geiger's display to allow the user to constantly know the status of their connection with the server.

As per Claim 10. The service providing system of Claim 9, wherein the portable terminal further includes a radio transmitter to access the network via wireless communication (at least col. 8, lines 28-45).

As per Claim 11, Geiger teaches a service providing method using a portable terminal which can be connected to a network having an information providing server and an authentication server connected to the information providing server, the method comprising:

- the portable terminal accessing the network to request information (at least col. 8, lines 28-45; wireless client device connecting to network);

- the information providing server transmitting to the authentication server the information requested by the portable terminal, address information for the information

providing server, and tag information (at least col. 10, lines 38-64; col. 12, lines 19-31; cross certificates for server authentication, in addition to keys);

the authentication server determining whether the received address information and tag information match address information and tag information stored in the authentication server (at least col. 10, lines 38-54; cross certificates for server authentication, in addition to keys);

the authentication server converting the received tag information to authentication information displayable on the portable terminal when the received address information and tag information match the stored address information and stored tag information, and sending the requested information sent by the information providing server and the authentication information to the portable terminal (at least col. 13, lines 13-67; delivering content to client and viewing of the certificate by the user); and

the portable terminal displaying the requested information on a first display area (at least col. 13 line 66 - col. 14 line 8)

Geiger fails to explicitly teach a second display area which displays the authentication information. However, the use and advantages for using such a display is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of De Boor. De Boor teaches a second display area (at least Fig. 2, 5, paragraph. 9 lines 3-27) containing, as is well known in the art, a status bar and status message area in addition to another part of the display containing the content. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the use of De Boor's two 'displays' into Geiger's system as this is very well known in the art and would enhance Geiger's display to allow the user to constantly know the status of their connection with the server.

As per Claim 12. The service providing method of Claim 11, wherein the portable terminal accesses the network via wireless communication (at least col. 8, lines 28-45).

Response to Arguments

Applicant's arguments with respect to claims 9-12 have been considered but are moot in view of the new ground(s) of rejection.

Additionally, Applicants argue, substantially, that Geiger does not teach using address information associated with the information providing server. However, Applicants arguments are not persuasive, as Geiger teaches server authentication wherein the provider's server authenticates a third-party or merchant server via cross-certificates in order to validate the other servers for the user (at least col. 10, lines 38-64).

Conclusion

5. Newly cited Kay in addition to previously cited Katz et al, Talati et al, Hiroya et al, Ramasubramani et al, Hultgren and Valtanen are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

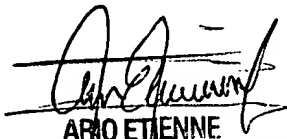
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory Todd

Patent Examiner

Technology Center 2100


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100